

REMARKS

This is in response to the office action dated 06/30/2004 and is believed to be fully responsive thereto and reconsideration is respectfully requested.

Claims 1-11, 13 and 15 have been amended.

Claims 12 and 14 have been canceled.

The Abstract has been reduced in length and it is believed to be within the required number of words.

Claim Rejection 35 USC 112

The Examiner rejected Claims 1-15 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The examiner indicated with regard to claim 1 that the limitation "the functional failure" on line 5 has insufficient antecedent basis in the claim and further indicated that the the limitation of determining the location "of and type of error" in the failing circuit also rendered the claim indefinite, because the term "of and type of error" fails to clearly define the step in determining the error type, since there is no previous test in defining error types corresponding to different failure conditions in the circuit.

The examiner indicated with regard to claim 7 that limitations "the embedded circuit memories", and "the bootstrapping technique" on lines 7 and 13, has insufficient antecedent basis for these limitations in the claim. The examine also further noted that line 2 Claim 7,

BUR120010133
SN 10/064,398

that the preamble recited the broad term "consisting of" and comprised of on line 3 and that this language rendered the claim indefinite. The examiner further indicated with regard to claim 7, that the phrases "may" and "other" recited on lines 7 and 8, respectively, also rendered the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention and cited MPEP § 2173.05(d) and *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), *Ex parte Steigew~* 131 USPQ 74 (Bd. App. 1961); *Ex parte Ha/I*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche* 86 USPQ 481 (Bd. App. 1949).

Claims 8 and 9 recite the limitation "LSSD ". There is insufficient antecedent basis for this limitation in the claim.

The examiner indicated with regard to claim 10 that the limitations "the failed device", "the embedded circuit memories", and "the bootstrapping technique" on lines 4, 6 and 12, respectively lacked insufficient antecedent basis.

The examiner indicated with regard to claim 10, the phrases "may" and "other" recited on lines 5 and 6, respectively, rendered the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention See MPEP § 3.05(d). Claims 8 and 9 recites the limitation "LSSD " without a sufficient antecedent basis for this limitation therein.

The examiner indicated with regard to claim 11 that the limitation "GSD" has insufficient antecedent basis thereon.

The examiner indicated with regard to claim 12 that the limitation "the functional

BUR120010133
SN 10/064,398

failure" on line 5 had an insufficient antecedent basis and further stated that the limitation of determining the location "of and type of error" in the failing circuit, also rendered the claim indefinite, because the term "of and type of error" fails to clearly define the step in determining the error type, since there is no previous test in defining error types corresponding to different failure conditions in the circuit. Claim 12 has been canceled.

The examiner indicated with regard to claim 13 that the limitation "the functional failure" had an insufficient antecedent basis therein.

The examiner indicated with regard to claim 14 that the limitations "the set of device", "the failing point", "said device state", and "the machine" on lines 5 and 6 had insufficient antecedent basis and that the limitation "applying a predetermined set of functional vectors have been applied" which rendered the claim indefinite, because the terms "applying" and "have been applied" fail to properly define the time of the application of the "predetermined set of functional vectors". Also, the limitation "allowing the set of device run at speed until the failing point is reached" fails to properly define the claimed invention, since it is not clear how one can obtain the device speed. Claim 14 has been canceled.

Claim 15 recites the limitation "functional patterns". There is insufficient antecedent basis for this limitation in the claim.

The Examiner did not apply prior art because he deemed the claims to be generally indefinite.

The Applicants have carefully reviewed all the objected to claims and have extensively amended Claims 1-11, 13 and 15 to correct the errors indicated by the examiner

and it is now submitted that these claims as amended clearly and distinctly claim the subject matter the applicants consider their invention.

The Applicants therefor respectfully submit that this amendment overcomes the cited objections and that this rejection should now be withdrawn and Claims 1 - 11 13 and 15, as amended, is now in allowable condition.

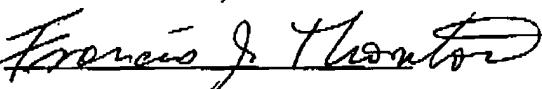
Conclusion

Based on the foregoing, it is respectfully submitted that all the claims active in the subject patent application are in condition for allowance and that the application should be speedily passed to issuance.

The Examiner is urged to call the undersigned at the number listed below if, in the Examiner's opinion, such a phone conference would aid in furthering the prosecution of this application.

Respectfully submitted,

For: Donato Forlernza, et al.

By: 

Francis J. Thornton
Registration. No. 20,610

FRANCIS J. THORNTON
4205 Ethan Allen Highway
Charlotte, Vermont 05445

Telephone: (802) 425-2410
Facsimile: (802) 425-2410

BUR120010133
SN 10/064,398